

Notice of Allowability

Application No.

10/614,047

Examiner

Dov Popovici

Applicant(s)

TSUJIMOTO, TAKUYA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 9/10/2007.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

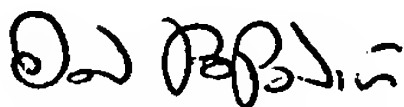
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Dov Popovici
Primary Examiner
Art Unit 2625

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

Claims 1-20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,984,034 (Tsujiimoto). However, neither this patent nor its corresponding patent application publication (2004/0008244) qualify as prior art under any subsection of 35 U.S.C. § 102. Although Tsujiimoto has an earlier filing date than the actual filing date of this case, they have the same inventor. Accordingly, Tsujiimoto does not qualify as prior art and § 102 rejection is withdrawn.

Shiratori et al. (U.S. 5,974,160) teaches measuring of gloss irregularity and printing unevenness. However, Shiratori et al. (U.S. 5,974,160) does not disclose, teach or suggest, obtaining a first parameter regarding the surface roughness of the recording medium from the image information, obtaining a second parameter regarding the surface configuration of the recording medium from the image information, and discriminating the kind of the recording medium on the basis of the first parameter and the second parameter, in combination with generating image information, as claimed in independent claim 1.

Shiratori et al. (U.S. 5,974,160) teaches measuring of gloss irregularity and printing unevenness. However, Shiratori et al. (U.S. 5,974,160) does not disclose, teach or suggest, obtaining a first parameter by statistical process in accordance with the brightness information, obtaining a second parameter regarding changes in the brightness information along an arrangement of the plural continuous pixels, and

discriminating the kind of the recording medium on the basis of the first parameter and the second parameter, in combination with generating image information, as claimed in independent claim 4.

Shiratori et al. (U.S. 5,974,160) teaches measuring of gloss irregularity and printing unevenness. However, Shiratori et al. (U.S. 5,974,160) does not disclose, teach or suggest, obtaining as a parameter the number of pixels at peak brightness in a histogram prepared by the plural pixels, and discriminating the kind of recording medium on the basis of the parameter, in combination with generating image information, as claimed in independent claim 18.

Shiratori et al. (U.S. 5,974,160) teaches measuring of gloss irregularity and printing unevenness. However, Shiratori et al. (U.S. 5,974,160) does not disclose, teach or suggest, discriminating means for discriminating the kind of the recording medium in accordance with a first parameter obtainable by statistical process on the basis of the brightness information, and a second parameter obtainable with respect to changes in the brightness information along an arrangement of the plural continuous pixels, in combination with image information generating means, as claimed in independent claim 20.

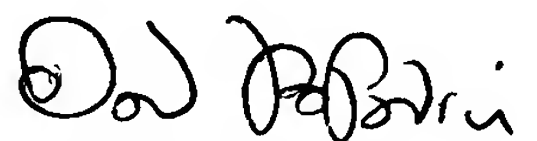
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dov Popovici whose telephone number is 571-272-4083. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Dov Popovici
Primary Examiner
Art Unit 2625